

## Remarks

Claims 1-24 are pending in this application. Applicant has amended claims 1 and 13 to clarify the present invention. Applicant respectfully requests favorable reconsideration of this application.

Applicant respectfully requests that the finality of the office action be withdrawn. The Examiner asserts that the office action is final due to the amendment necessitating new grounds of rejection. However, at the second full paragraph on page 3, the Examiner states "[H]aving readily dismissed the applicant's arguments, the examiner maintains the rejections." Such contradictory statements make the basis for the finality of the rejection unclear. As a result, Applicant requests that the finality of the office action be withdrawn and the Examiner address this issue.

The Examiner asserts that the recitation of the term "auxiliary power supply" in the preamble has not been given patentable weight. However, the case law is replete with cases where a recitation in the preamble has been accorded patentable weight. In fact, the preamble gives life and meaning to the claims, as discussed in *Kropa v. Robie and Mahlman*, 88 U.S.P.Q. 478 (C.C.P.A. 1951). The preamble clearly recites that the invention is an auxiliary power supply. Additionally, the body of the claim recites that the transmission link couples the power source to the load circuit in order to supply the auxiliary power supply to the high voltage installation.

Additionally, the Examiner asserts that the term "high potential" to not have a definition. The meaning of "high potential" is well defined in the art. In fact, even a quick search utilizing Google reveals that the meanings of high potential as well as high voltage are well known in the art.

The Examiner rejected claims 1-4, 6, 9, 13-16, 18, 21, 23, and 24 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,757,099 to Cheng et al. The Examiner rejected claims 5 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. in view of U.S. patent 6,370,050 to Peng et al. The Examiner rejected claims 7 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. in view of U.S. patent 5,396,165 to Hwang et al. The Examiner rejected claims 8, 10, 11, 20, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. in view of Hwang et al. The Examiner rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. in view of U.S. patent 6,552,919 to Bors.

Cheng et al. does not disclose the present invention as recited in claim 1 since, among other things, Cheng et al. does not disclose an auxiliary power supply for a high voltage installation being in galvanic contact with a high voltage power transmission line, a power source at ground potential and thereby being independent of a state of the high voltage power transmission line, a load circuit at high potential and connected to the high voltage installation, and a transmission link for coupling the power source to the load circuit in order to supply auxiliary power to the high voltage installation. Cheng et al. appears to disclose a hybrid active/passive filter system that includes a filter to be used in power supply lines other than high voltage transmission systems. Part of this system includes a DC bus capacitor that only provides

temporary energy storage of electric energy and cannot operate as a power supply. Substituting the power source according to the present invention for the DC capacitor disclosed by Cheng et al., the filter construction disclosed by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level. Therefore, Cheng et al. does not disclose the present invention as recited in claim 1 or claims 2-4, 6, and 9, which depend from claim 1.

Cheng et al. does not disclose the present invention as recited in claim 13 since, among other things, Cheng et al. does not disclose a method for supplying auxiliary power to a high voltage installation being in galvanic contact with a high voltage power transmission line, wherein the method includes generating power referenced to ground and thereby being independent of a state of the high voltage power transmission line, forming a load circuit at high potential, connecting the load circuit to the high voltage installation, and transmitting the generated power to the load circuit in order to supply auxiliary power to the high voltage installation. Cheng et al. appears to disclose a hybrid active/passive filter system that includes a filter to be used in power supply lines other than high voltage transmission systems. Part of this system includes a DC bus capacitor that only provides temporary energy storage of electric energy and cannot operate as a power supply. Substituting the power source according to the present invention for the DC capacitor disclosed by Cheng et al., the filter construction disclosed by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level. Therefore, Cheng et al. does not disclose the present invention as recited in claim 13 or claims 14-16, 18, 21, 23, and 24, which depend from claim 13.

In view of the above, Cheng et al. does not disclose all elements of the present invention as recited in claims 1-4, 6, 9, 13-16, 18, 21, 23, and 24. Since Cheng et al. does not disclose all elements of the present invention as recited in claims 1-4, 6, 9, 13-16, 18, 21, 23, and 24, the present invention, as recited in claims 1-4, 6, 9, 13-16, 18, 21, 23, and 24, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

The combination of Cheng et al. and Peng et al. does not suggest the present invention as recited in claims 5 and 17, which depend from claims 1 and 13, respectively, since, among other things, neither Cheng et al. nor Peng et al. suggests an auxiliary power supply or a method for supplying auxiliary power to a high voltage installation being in galvanic contact with a high voltage power transmission line, wherein the method includes generating power referenced to ground and thereby being independent of a state of the high voltage power transmission line, forming a load circuit at high potential, connecting the load circuit to the high voltage installation, and transmitting the generated power to the load circuit in order to supply auxiliary

power to the high voltage installation. Rather, Cheng et al. appears to suggest a hybrid active/passive filter system that includes a filter to be used in power supply lines other than high voltage transmission systems. Part of this system includes a DC bus capacitor that only provides temporary energy storage of electric energy and cannot operate as a power supply. Substituting the power source according to the present invention for the DC capacitor suggested by Cheng et al., the filter construction disclosed by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level. Claims 5 and 17 relate to mounting equipment on a platform. Mounting equipment on a platform as the Examiner asserts Peng et al. suggests would not overcome the above-discussed deficiencies of Cheng et al. since Peng et al. does not suggest any of the elements that Cheng et al. does not suggest.

Additionally, the filter suggested by Cheng et al. harmonically compensates for large nonlinear loads. Hence, the hybrid active filter includes a passive filter connected in series with an active filter. The passive filter portion of the hybrid active filter includes passive capacitors and inductors, as described at col. 5, line 13. The active filter is implemented using a three phase pulse width modulation or square-wave voltage source inverter connected in series with the shunt passive filter, as described at col. 9, line 35. A DC bus capacitor provides the inverter a steady voltage, as described at col. 9, line 40. According to Cheng, the active filter, represented by the inverter, provides a dynamically variable inductance, making possible fine tuning of the hybrid filter to compensate for the harmonic distortion of the load, as described at col. 9, line 20.

Hence, Cheng et al. does not suggest utilizing the inverter to supply power to a load on

high voltage potential of the transmission line. The DC bus capacitor only provides temporary energy storage of electric energy and cannot operate as a power supply. During a first part of a period of the fundamental frequency the capacitor arranged to store energy, while during a second part of a period of the fundamental frequency the capacitor provide the energy. Thus, the DC capacitor only provides a temporary energy storage common for all three phases of the system. Furthermore, the inverter suggested by Cheng et al. cannot operate in case of a power failure on the power line.

Substituting the power source according to the present invention for the DC capacitor suggested by Cheng et al., the filter construction suggested by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level.

Furthermore, Peng et al. does not suggest a high voltage installation. Therefore, Peng et al. does not suggest an auxiliary power supply for a high voltage installation or a method for supplying auxiliary power to a high voltage installation. Rather, Peng et al. suggests an isolated and soft-switched power converter for providing an improved converter for hybrid electric vehicles. Hence, Peng et al. suggests a battery power supply for feeding an electric motor via a converter. Peng et al. also does not suggest a capacitive coupling for providing insulation between a ground potential and a high potential. A person skilled in the art would not look to Peng et al. for a solution to a problem of finding a power source suitable for high voltage applications.

In view of the above, the combination of Cheng et al. and Peng et al. does not suggest the present invention as recited in claims 5 and 17.

The combination of Cheng et al. and Hwang et al. does not suggest the present invention as recited in claims 7, 8, 10, 11, 19, 20, and 22, which ultimately depend from claims 1 and 13, since, among other things, neither Cheng et al. nor Hwang et al. suggests an auxiliary power supply or a method for supplying auxiliary power to a high voltage installation being in galvanic contact with a high voltage power transmission line, wherein the method includes generating power referenced to ground and thereby being independent of a state of the high voltage power transmission line, forming a load circuit at high potential, connecting the load circuit to the high voltage installation, and transmitting the generated power to the load circuit in order to supply auxiliary power to the high voltage installation. Rather, Cheng et al. appears to suggest a hybrid active/passive filter system that includes a filter to be used in power supply lines other than high voltage transmission systems. Part of this system includes a DC bus capacitor that only provides temporary energy storage of electric energy and cannot operate as a power supply. Substituting the power source according to the present invention for the DC capacitor suggested by Cheng et al., the filter construction disclosed by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level. Hwang et al. does not suggest these elements. Therefore, the combination of Cheng et al. and Hwang et al. does not suggest the present invention as recited in claims 7, 8, 10, 11, 19, 20, and 22.

The combination of Cheng et al. and Bors does not suggest the present invention as

recited in claim 12, which depends from claim 1, since, among other things, neither Cheng et al. nor Bors suggests an auxiliary power supply or a method for supplying auxiliary power to a high voltage installation being in galvanic contact with a high voltage power transmission line, wherein the method includes generating power referenced to ground and thereby being independent of a state of the high voltage power transmission line, forming a load circuit at high potential, connecting the load circuit to the high voltage installation, and transmitting the generated power to the load circuit in order to supply auxiliary power to the high voltage installation. Rather, Cheng et al. appears to suggest a hybrid active/passive filter system that includes a filter to be used in power supply lines other than high voltage transmission systems. Part of this system includes a DC bus capacitor that only provides temporary energy storage of electric energy and cannot operate as a power supply. Substituting the power source according to the present invention for the DC capacitor suggested by Cheng et al., the filter construction disclosed by Cheng et al. would still only supply power to a load connected to a power supply line and not to a load circuit positioned on high voltage level. Bors does not overcome the above-described deficiencies of Cheng et al. Therefore, the combination of Cheng et al. and Bors does not suggest the present invention as recited in claim 12.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not suggest patentable features of the present invention. Therefore, the references relied upon in the office action, whether considered alone or in combination, do not make the present invention obvious. Accordingly, Applicant respectfully requests withdrawal of the rejection based upon the cited references.



In conclusion, Applicant respectfully requests favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this application, Applicant respectfully urges the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account 22-0261.

Respectfully submitted,

Date: 6/14/07

A handwritten signature in black ink, appearing to read "Eric J. Franklin", written over a horizontal line.

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